

**UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE: Delone Leslie	:	CHAPTER 13
Debtor	:	
Federal National Mortgage Association	:	BANKRUPTCY NO. 18-16697 AMC
("Fannie Mae"), its successors and assigns	:	
Movant,	:	11 U.S.C. §362 (d)(1)
v.	:	
Delone Leslie	:	HEARING DATE: 5/21/2019
William C. Miller, Trustee	:	
Respondents	:	HEARING TIME: 11:00 a.m.
	:	
	:	COURTROOM #4

**MOTION OF FEDERAL NATIONAL MORTGAGE ASSOCIATION ("FANNIE MAE")
FOR RELIEF FROM THE AUTOMATIC STAY UNDER SECTION 362(d)(1) TO
PERMIT MOVANT TO FORECLOSE ON
1612 CLIFTON AVENUE, SHARON HILL, PA 19079**

The Motion of Federal National Mortgage Association ("Fannie Mae"), Movant herein, respectfully represents:

1. Delone Leslie, Respondents herein, filed a bankruptcy petition under Chapter 13 of the Bankruptcy Code on October 8, 2018 under Bankruptcy No.18-16697. The Debtor has continued in possession of the property, and is now managing it.
2. Movant is a secured creditor by reason of Debtor has having executed and delivered a mortgage on premises **1612 Clifton Avenue, Sharon Hill, PA 19079** ("Subject Premises") to Mortgage Electronic Registration Systems, Inc., acting as a nominee for American Home Mortgage, which mortgage is recorded in the Office of the Recorder of Deeds of Delaware County on April 19, 2007 in Book RD 04080 Page 1263. A true and correct copy of the mortgage is attached hereto as Exhibit A.
3. The mortgage has since been assigned to Movants herein by written assignment which was recorded in the Office of the Recorder of Deeds of Delaware County on January 11,

2016 in RD BK 05756-0371. A true and correct copy of the assignment is attached hereto as Exhibit B.

4. Movant seeks relief for the purpose of foreclosing its mortgage against the Debtor's interest in real property known as **1612 Clifton Avenue, Sharon Hill, PA 19079**.

5. Movant lacks adequate protection in that the Debtor has failed to make regular timely monthly mortgage payments in accordance with the terms of the Mortgage and Note.

6. As of April 15, 2019, Movant was the holder of a secured claim against the Debtor for the sum of \$131,990.81, which consists of the following:

Principal Balance	\$ 115,188.08
Interest Due	7,982.36
Escrow Advance	9,244.63
Corporate Advance	854.22
Less total funds on hand	1,278.48
TOTAL DUE	\$ 131,990.81

7. Debtor has not made regular timely post-petition mortgage payments outside the plan and the account is now due as follows:

DUE FROM	DUE TO	DESCRIPTION	AMOUNT DUE
1/1/2019	4/1/2019	@ \$ 907.61	\$ 3,630.44
		Less Suspense	(393.64)
		Attorney's fee	850.00
		Filing fee	181.00
		TOTAL DUE	\$ 4,267.80

8. Upon entry of an Order Granting Relief Movant will no longer be required to file and serve the Notice of Payment Change and or Notices of Post-Petition Fees, Expenses and Charges as required by FRBP 3002.1(b) and FRBP 3002.1(c)

9. Movant requests that Rule 4001(a)(3) be waived.

10. Movant requests that the relief granted by this motion survive the conversion of this case to a case under any other Chapter of the Bankruptcy Code

11. Debtor has no reasonable prospect for reorganization.

12. If Movant is not permitted to foreclose its mortgage on said premises, it will suffer irreparable injury, loss and damage.

WHEREFORE, Movant prays that upon final hearing of this Motion, the stay pursuant to 11 U.S.C. Section 362(d)(1) be modified to permit it to foreclose on premises **1612 Clifton Avenue, Sharon Hill PA 19079**, that Movant may take such actions with respect to the real property as are set forth under applicable non-bankruptcy law, that upon entry of an Order Granting Relief Movant will no longer be required to file and serve the Notice of Payment Change and or Notices of Post-Petition Fees, Expenses and Charges as required by FRBP 3002.1(b) and FRBP 3002.1(c), that Rule 4001(a)(3) be waived, Movant requests that the relief granted by this motion survive the conversion of this case to a case under any other Chapter of the Bankruptcy Code and that it have such other and further relief as is just.

/s/Heather S. Riloff
Heather S. Riloff, Esquire
Martha E. Von Rosenstiel, P.C.
649 South Avenue, Unit 6
Secane, PA 19018
(610) 328-2887 Ext 13
lorraine@mvrllaw.com
Attorney I.D. #309906